

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

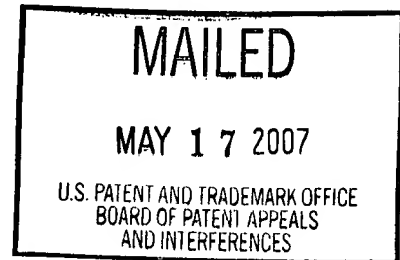
---

Ex parte IAN C. WILLIAMS

---

Application 09/930,612

---



**ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER**

---

This application was electronically received at the Board of Patent Appeals and Interferences on January 10, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below.

The Examiner's Answer mailed June 23, 2006 is defective because in paragraph 8 it is stated, "no evidence is relied upon by the examiner." However, prior art was applied in the rejections on appeal. The Manual of Patent Examining Procedure, (MPEP), in § 1207.02 states:

(8) *Evidence Relied Upon.* A listing of the evidence relied on (e.g., patents, publications, admitted prior art), and, in the case of non-patent references, the relevant page or pages.


Appropriate correction is required.

Application 09/930,612

Accordingly, it is

ORDERED that the application is returned to the Examiner to fill out a PTOL-90, properly filling out or including the section "Evidence relied upon" to make the Examiner's Answer compliant and mail said PTOL-90 to Appellant and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
\_\_\_\_\_  
PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/eld

Cc: HARRINGTON & SMITH, PC  
4 RESEARCH DRIVE  
SHELTON CT 06484-6212